

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

United States of America

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Thomas P. Sobiech, Robin Sobiech, Nichris Corporation, Pine Island Group, Inc.,  
Gotham Renovation Group, Inc., Orange County Trust Company, Joseph Wu,  
Sharyland L.P. d/b/a Plantation Produce Company, M&M Packaging, Inc., Mellon  
Bank, United Penn Bank, Pietrzak & Pfau Engineering & Surveying, PLLC, John Does  
Nos. 1-10 and Jane Does Nos. 1-10

07 CV 6335

TO: (Name and address of defendant)

Joseph Wu  
176 Broadway, Suite 9D  
New York, NY 10038

JUDGE BRIEANT

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia  
United States Attorney for the Southern District of New York  
By: Kristin L. Vassallo, Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JUL 11 2007

.. MICHAEL McMAHON

CLERK

DATE

(BY) DEPUTY CLERK

## AFFIDAVIT OF SERVICE

Index #: 07 Civ. 6335 (CLB)

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: July 11, 2007

Date Filed: \_\_\_\_\_

Court Date: \_\_\_\_\_

## COUNTY

ATTORNEY(S): Kristin L. Vassallo AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2822

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

vs.

THOMAS P. SOBIECH, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU

SS.:

CURTIS WARREN

, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On July 20, 2007 at 9:01 AM

at 176 BROADWAY SUITE 9D NEW YORK, NY 10038, deponent served the within

**Summons In A Civil Case, Complaint, Notice of Pendency, Judge's Rules, Magistrate's Rules and Electronic Case Filing**

with Index Number 07 Civ. 6335 (CLB)(LMS), and Date Purchased July 11, 2007 endorsed thereon,

on: JOSEPH WU, Defendant therein named.

#1 INDIVIDUAL ☒ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION ☐ By delivering to and leaving with \_\_\_\_\_ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to \_\_\_\_\_ a person of suitable age and discretion. Said premises is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business [ ] dwelling house (place of abode) within the state.#5 MAIL COPY ☐ On \_\_\_\_\_, deponent completed service under the last two sections by depositing a copy of the \_\_\_\_\_ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. \_\_\_\_\_Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown at Address [ ] Evading [ ] Moved left no forwarding [ ] Address does not exist [ ] Other: \_\_\_\_\_#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
(use with #1, 2 or 3) Sex Male Color of skin Yellow Color of hair Black Age Over 65 Yrs. Height 5' 4" - 5' 8"  
Weight 131 - 160 Lbs. Other Features: Glasses#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC ☐ Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.#10 OTHER ☐

Sworn to before me on this 23 day of July, 2007

BARBARA A. SHURGIN

NOTARY PUBLIC, State of New York  
No. 30-5004737, Qualified in Nassau County  
Commission Expires November 23, 2010C. Warren  
CURTIS WARREN

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